


Notification of Loss of Small Entity Status
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: December 8, 2010 Signature: 

(Scott Matthews)

DEC -3 PM 4:00

Docket No.:
64992/P001US/10308762
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Sagie Tsadka et al.

Application No.: 10/623,280

Filed: July 18, 2003

Issued: September 20, 2005

For: ALL-OPTICAL, TUNABLE
REGENERATOR, RESHAPER AND
WAVELENGTH CONVERTER

Patent No.: 6,947,206

Art Unit: 3663

Examiner: M. Hellner

RECEIVED

DEC 14 2010

OFFICE OF PETITIONS

REQUEST UNDER TO 37 C.F.R. § 1.28(c) FOR
CORRECTION OF ERROR IN SMALL ENTITY STATUS MADE IN GOOD FAITH
AND CORRECTION OF MAINTENANCE FEE PAYMENT

Mailstop M Correspondence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

At the time the issue fee was paid for U.S. Patent 6,947,206, the assignee was entitled to small entity status. The 4th-year maintenance fee was paid on March 20, 2009, in good faith, also under small entity status. Upon file review, it was discovered that the assignee, Kailight Photonics, Inc., was no longer entitled to small entity status at the time the 4th-year maintenance fee was paid. Through error, the Patent Office was not notified of this loss of entitlement to small entity status. This error was made in good faith. Thus, all fees going forward should be paid under large entity status. Further, it is respectfully requested that the Commissioner excuse this error based upon compliance with the submission and itemization under 37 CFR § 1.28(c) as follows:

12/13/2010 DALLEN 00000020 062380 6947206
01 FC:1599 490.00 DA

Adjustment date: 02/02/2011 CKHLOK
12/13/2010 DALLEN 00000020 062380 6947206
01 FC:1599 490.00 CR

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02/02/2011 CKHLOK 00000011 062380 6947206
01 FC:1559 490.00 DA

Application No.: 10/623,280

Docket No.: 64992/P001US/10308762

Type of Fee	Description of Fee	Small Entity Fee Paid on 3-20-2009	Current Fee Amount Due for a Non-Small Entity	Deficiency Owed
1551	Maintenance Fee Due at 3.5 yrs	\$490.00	\$980.00	\$490.00
Total				\$490.00

Please charge the deficit payment of \$490.00 and any other deficiency in the fees filed, asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed for this Patent by this firm) to our Deposit Account No. 06-2380, under Order No. 64992/P001US/10308762. Requestor believes that no surcharge payment (fee type 1554, \$130) is due with this Request because the Mar. 20, 2009 maintenance fee payment was made within the time prescribed by 37 C.F.R. § 1.362(d)(1). However, if Requestor is in error as to the requirement of a surcharge, the Patent Office is hereby authorized to charge such surcharge to the Deposit Account described above.

Dated: December 6, 2010

Respectfully submitted,

By


Robert L. Greeson

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